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Paper No. 3

COLUMBIA IP LAW GROUP PC 10260 SW GREENBURG ROAD SUITE 820 PORTLAND, OR 97223

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In re Application of

Jonathan O. Nelson

Application No. 09/932,592

Filed: August 17, 2001

Attorney Docket No. 41051.P011

 $_{\rm NOTICE}$ Office of Petitions

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby ACCEPTED.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center AU 2683.

Wan Lagmon

Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner

for Patent Examination Policy